

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANDRE L. REVIS,

Plaintiff,

v.

MOORE, *et al.*,

Defendants.

Case No. 1:22-cv-01189-JLT-BAM (PC)

ORDER CONSTRUING PLAINTIFF'S
OBJECTIONS AS A MOTION FOR
EXTENSION OF TIME TO FILE
OBJECTIONS
(ECF No. 17)

ORDER DENYING PLAINTIFF'S MOTION
FOR EXTENSION OF TIME AS MOOT
(ECF No. 17)

Plaintiff Andre L. Revis ("Plaintiff") is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983.

On April 5, 2023, the Court screened Plaintiff's second amended complaint and issued findings and recommendations that this action be dismissed for failure to state a cognizable claim upon which relief may be granted. (ECF No. 14.) Plaintiff was directed to file any objections to the findings and recommendations within fourteen days from the date of service. (*Id.*)

On April 18, 2023, Plaintiff filed a request for a thirty-day extension of time to file his objections, explaining that he did not receive the Court's findings and recommendations until April 11, 2023. (ECF No. 15.) The Court granted the request on April 19, 2023. (ECF No. 16.)

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1 On April 20, 2023, Plaintiff filed a second request for a thirty-day extension of time to file
2 his objections, which was erroneously docketed as his objections to the findings and
3 recommendations. (ECF No. 17.)

4 As the Court has already granted Plaintiff an extension of time, the current request is
5 denied as moot.

6 Accordingly, IT IS HEREBY ORDERED as follows:

- 7 1. Plaintiff's objections, (ECF No. 17), are CONSTRUED as a motion for extension of time;
8 2. Plaintiff's motion for extension of time, (ECF No. 17), is DENIED as moot; and
9 3. Plaintiff's objections to the April 5, 2023 findings and recommendations remain due on or
10 before **May 22, 2023**.

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12 IT IS SO ORDERED.

13 Dated: **April 21, 2023**

/s/ *Barbara A. McAuliffe*
14 UNITED STATES MAGISTRATE JUDGE
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